



COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND

Internal Use Only	
FILE #	STAFF
RECEIVED	5/25/18
COMPLETED	
FEE/Ck. #	
RECEIPT #	416499

Application for Conditional Use Permit

Last revised 7/07/10

Form must be completed in ink, Pencil will not be accepted.

IMPORTANT NOTE: FOR CERTAIN LARGE-SCALE DEVELOPMENTS, STATE LAW NOW REQUIRES A TRAFFIC IMPACT ANALYSIS (T.I.A.) be completed and submitted with a rezoning application **before** the County can deem the application complete.

****Please see the attached T.I.A. info sheet and checklist to determine if such a study shall be required as part of the application. Please contact the zoning administrator for any questions.**

Project Name (how should we refer to this application?): Green Ridge Recycling and Disposal Facility

Proposal: To permit a municipal (sanitary) landfill and related uses including a convenience and recycling center, transfer station, composting operation and gas energy power plant

Location: North of Route 60 near Cumberland / Powhatan Line

Tax Map Parcel(s): See Attached

Zoning: A-2 Except Tax Map Parcel: 45-1-41 A-2 and R-2 Comprehensive Plan Area: All lots not in a growth area except 45-1-41 is partially moderate intensity

Election District: District 2

of Acres to be Covered by Conditional Use Permit (if a portion of a parcel or parcels it must be delineated on a plat): 1200 ± acres

Is this an amendment to an existing conditional use permit? If Yes, provide CUP # or approval date: ☐ YES ☒ NO

A Preliminary Site Plan is Required with Application for a CUP. Have you submitted a preliminary site plan? ☒ YES ☐ NO

Is this a proposal for a shopping center or telecommunication tower? If so, additional information is required additional conditions/use restrictions apply. Please see the Planning & Zoning Dept. for more info. ☐ YES ☒ NO

Is an amendment to the subdivision or zoning ordinance also proposed as part of the CUP application? If so, complete and attach the Code Amendment application. ☐ YES ☒ NO

Contact Person (who should we call/write concerning this project?): William H. Shewmake, Esquire

LeClairRyan PLLC

Address: 919 East Main Street, Twenty-Fourth Floor City: Richmond State: Virginia Zip: 23219

Daytime Phone: (804) 783-7595 Fax #: (804) 783-7695 Email: william.shewmake@leclairryan.com

Owner of Record (who currently owns the property?): See Attached

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: () _____ Fax #: () _____ Email: _____

Applicant (who is the contact person representing?): William H. Shewmake, Esquire
on behalf of CWV Land Acquisition, LLC and Green Ridge Recycling and Disposal Facility, LLC

Address: 919 East Main Street, Twenty-Fourth Floor City: Richmond State: Virginia Zip: 23219

Daytime Phone: (804) 783-7595 Fax #: (804) 783-7695 Email: william.shewmake@ledalmyan.com

Does the owner of this property own (or have any ownership interest) in any abutting property? If yes, please list those tax map parcel numbers. 31-A-1; 45-1-40

Section 74-702 of the Cumberland County Zoning Ordinance provides guidelines for conditional use permit applications.

Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
2. The CUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
3. The establishment of the CUP will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
4. The exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within the neighborhood;
5. Adequate utilities, access roads, drainage or necessary facilities have been or are being provided;

6. Ingress and egress to property and structures on the property with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access of fire or catastrophe are adequately provided for;
7. Off-street parking and loading areas where required with particular attention to the items in # 1. above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district are adequately provided for;
8. Refuse and service areas, with particular reference to the items in #s 1. and 2. above are adequately provided for;
9. Appropriate screening and buffering with reference to type, dimensions and character of the use are adequately provided for;
10. Any signs and exterior lighting are compatible and in harmony with properties in the district with reference to aesthetics, glare, traffic safety and economic effect;
11. Required building setbacks and other open spaces are adequately provided for;
12. The proposed use is compatible with adjacent properties and other property in the zoning district;
13. An adequate supply of light and air to adjacent property is adequately provided for; and
14. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Board of Supervisors.

Describe your request in detail and include all pertinent information such as the number of persons involved in the use, operating hours, and any unique features of the proposed use: _____

See Attached

Describe briefly the improvements proposed. State whether new buildings or structures are to be constructed, existing buildings or structures are to be used or additions made to existing buildings or structures. Give dimensions of the buildings that are to be constructed and the dimensions of any existing buildings on the property (attach any necessary information). This is undeveloped property and new structures will be constructed. These include a scale house, parking and storage, maintenance buildings, gas collection and power generation buildings and equipment, waste disposal areas, transfer stations, compost and recycling areas, soil and other storage facilities as well as borrow pits. See generally the attached conceptual plan.

Attachments Required – provide two (2) copies of each

1. *Recorded plat or boundary survey of the property requested for the permit.* If there is no recorded plat or boundary survey, please provide legal description of the property and the Deed Book and page number or Plat Book and page number.

Note: If you are requesting a permit for a portion of the property, it needs to be described or delineation on a copy of the plat or surveyed drawing.

2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing below has the authority to do so.

If the applicant is a contract purchaser or an agent of the owner, an owner/agent agreement must be attached (ask staff for form if needed).

Owner/ Applicant Must Read and Sign

I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge.

William H. Shewmake, Esquire

Print Name of Owner/ Applicant

5-28-18

Date



Signature of Owner/ Applicant

(804) 783-7595

Daytime Phone # of Signatory

Traffic Impact Analysis Information Sheet:

How do I know if a T.I.A. is required to be submitted with my application?

If the proposed development will increase the number of vehicle trips during peak hours on roads maintained by VDOT by 250 trips for a commercial development or 100 trips for a residential development you likely will need to submit a T.I.A.

How do I know if my proposal will increase the traffic to the amount that would require a TIA?

Below is a listing of some general guidelines as provided by VDOT's T.I.A. administrative guidelines:

For a **residential** development, a TIA may be required if the development proposes:

- 100 or more single family dwelling units;
- 150 or more apartment units; or
- 190 or more condo/townhomes

For a **commercial** development, a TIA may be required if the development proposes a(n):

- light industrial building of 260,000sf or more;
- hotel containing 300 rooms or more;
- elementary school of 600 students or more or a high school of 550 students or more;
- hospital of 110 beds or more;
- general office building 150,000 sq. ft. or larger;
- business park 170,000 sq. ft. or larger;
- shopping center 20,000 sq. ft. or larger;
- home improvement store 60,000 sq. ft. or larger;
- drive thru bank containing 5 bays or more;
- fast food restaurant with a drive thru window of 4,000 sq. ft. or larger; or
- gas station with convenience store containing 16 hoses or more.

What are the fees associated with VDOT's T.I.A?

This fee is collected directly by VDOT and is separate and in addition to the County's application fee. Both are required before an application is deemed complete.

- \$250.00 for a low-volume road;
- \$500.00 for less than 100 vehicles per peak hour; or
- \$1,000.00 for more than 100 vehicles per peak hour.

What is the background and purpose for the TIA requirements and where can I find additional information?

Chapter 527 of the 2006 Acts of Assembly added § 15.2-2222.1 to the Code of Virginia. The amendment establishes procedures by which localities submit proposals that will affect the state-controlled transportation network to VDOT for review and comment. The chapter also directs VDOT to develop regulations to carry out the provisions of the statute.

The regulation VDOT prepared is titled, Traffic Impact Analysis Regulations (24 VAC 30-155), sets forth procedures and requirements governing VDOT's review of and submission of comments regarding comprehensive plans and amendments to comprehensive plans, rezoning proposals, and subdivision plats, site plans and plans of development and the accompanying traffic impact analyses. The regulation also identifies when those documents must be submitted, and the documents and information that must be submitted to VDOT to facilitate the required review and submission of comments. The regulation also establishes the scope and nature of the review and a schedule of fees to be paid upon submission of a proposal to VDOT for review.

The regulation includes standards for when traffic impact analyses must be submitted to VDOT for different types of development proposals as well as what must be contained in the analyses (Information provided by VDOT). VDOT has prepared the following website on the Chapter 527 requirements:

<http://www.virginiadot.org/projects/chapter527/default.asp>

**PROPERTY OWNERS AND TAX MAP PARCELS
FOR CHANGE IN ZONING AND CONDITIONAL USE PERMIT**

OWNER'S NAME(S)	TAX MAP PARCEL NUMBER(S)	OWNER'S ADDRESS
American Timberland, LLC	37-A-69, 44-A-20, 45-A-1, 45-A-7	c/o Philip Weigel BTG Pactual 647 Timberline Drive Henrico, North Carolina 27842
Aaron Carlisle, Jr.	44-A-19-A	16 Kings Point Drive Hampton, Virginia 23669
CWV Land Acquisition, LLC	44-A-13, 44-A-14, 44-A-19, 44-A-22, 44-A-36	c/o Jerry S. Cifor 4 Enterprise Avenue Clifton Park, New York 12065
Ellis M. Palmore Lumber, INC	45-1-41	c/o Robert M. Palmore 2575 Ballsville Road Powhatan, Virginia 23139
John H. Wick, III	45-2-2-A, 45-2-2-B	302 Virginia Avenue Richmond, Virginia 23226

OWNER'S NAME(S)	TAX MAP PARCEL NUMBER(S)	OWNER'S ADDRESS
John H. Wick, III and Mary R. Wick	44-A-21	302 Virginia Avenue Richmond, Virginia 23226
Curtis Franklin Marion	38-A-7	663 Anderson Highway Cumberland, Virginia 2304

CONDITIONAL USE PERMIT – WRITTEN STATEMENT

The Green Ridge Recycling and Disposal Facility ("Green Ridge") will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The facility site has been carefully selected to minimize any impact on the County and its residents. It is located on the eastern edge of the County just off Route 60 with 80-85 percent of the projected truck traffic coming from the east. When operating at full capacity of 5,000 tons of waste a day, there would be approximately 300 trucks a day with most of the trips occurring during off peak hours, spread over a 24 hour period and with many of the trucks arriving at night. As reflected in the attached proposed conditions, there will be extensive buffers around the landfill, and the facility will be subject to an exhaustive permitting process with numerous conditions, including extensive monitoring requirements to address any potential negative impacts. Green Ridge will also prohibit the acceptance of hazardous waste and likewise will not accept certain waste that causes odor problems, such as waste water treatment sludge and processed sheetrock. The property is located in an area that has little residential density.

For many of the same reason, the landfill will likewise not injure or impair nearby properties. The waste disposal facility will have extensive perimeter buffers, have no significant traffic impact on the County, and will employ extensive plans to control noise, odor and lighting, as well as plans and systems to protect and monitor water and air quality. Green Ridge is also willing to discuss purchasing adjacent properties at fair market value for any neighbors that have concerns. Nor will the landfill impact the existing or future uses of nearby properties. As indicated, the landfill is located away from higher density residential areas and other nonagricultural uses, and the facility will be designed, constructed and operated to minimize any impact.

As for the aesthetics and function of the waste disposal and associated uses, this is an industrial facility that will be shielded from view by substantial buffers and thus will not be incongruent with existing architecture in the area.

As previously emphasized, the waste disposal facility and related uses will be subject to an extensive and detailed permitting process, which will adequately address all infrastructure issues, including the construction of turn lanes on Route 60 and all other improvements required by VDOT. Further, the access to the facility is located on Route 60, and the paved and maintained entrance road is over a mile long, ensuring that trucks will not back onto Route 60, and that trucks will not litter or deposit substantial mud and debris on the roads.

The subject property is approximately 1200 \pm acres, with no more than 650 acres and probably only 500 acres devoted to the waste disposal area. See the attached conceptual plan. There will, therefore, be ample room for parking and loading areas, with the exact location and dimensions to be determined at time of permitting and site plan review.

As indicated, the primary use for the subject property will be a recycling and waste disposal facility, with the location and dimensions of structures and features determined through the exhaustive permitting and site plan process. Given the size of the property, areas for refuse and waste will be more than ample.

There will be buffers ranging from 50 – 200 feet around the perimeter of the subject property as set forth in the attached proposed conditions, and screening berms and additional landscaping can be provided where needed. The lighting is addressed in the proposed conditions which will minimize any light issues, and the lighting and any signs will not be inconsistent with the surrounding areas. Most of the surrounding property is largely undeveloped.

In short, situated on 1200 \pm acres, the waste management facility and associated uses can and will be developed consistent with Conditional Use Permit and ordinance requirements, and will be compatible with surrounding zoning districts. The uses will be substantially off the property lines, so there will be no adverse impact on light and air to adjacent properties, and the Conditional Use Permit will comply with all regulations of the M-2 zoning district except as may be modified by the Board of Supervisors.

**Conditional Use Permit Application
Attachment For Page 3 of 5**

Describe your request in detail and include all pertinent information such as the number of persons involved in the use, operating hours, and any unique features of the proposed use:

The primary use will be a sanitary landfill with other associated uses as set forth and described in the proffered conditions in the companion zoning case and proposed conditions attached. It includes a convenience center that accepts waste and recyclables from County government and residents. It will also include, without limitation, related uses such as borrow areas, soil stockpiles, scales and scale house, office, maintenance facility, leachate management system, gas management system including beneficial usage, stormwater management system, trailer storage, parking, convenience center and recycling facilities, storage, transfer stations, composting operations, fuel storage, and equipment storage. Additional permitted uses include gas collection, generation, and sales, power plants related to the generation of gas from the Landfill, hydroponics and greenhouses (including for wholesale and retail sale). All other uses not related or accessory to the above uses that are allowed as a matter of right in an M-2 zoning district are excluded.

The gas conversion / energy plant will involve structures and machinery that will convert gas from the landfill into power and electricity. There will be approximately 35 full time employees on the site when the landfill becomes operational, and the hours of operation would be Monday morning, from 6:00

a.m. until 11:59 p.m.; 24 hours a day Tuesday through Friday; and 6:00 a.m. to 4:00 p.m. on Saturday. The convenience center would generally be open 8:00 a.m. – 5:00 p.m., Monday through Friday, and 8:00 a.m. – 2:00 p.m. on Saturday.

CONDITIONAL USE PERMIT

1. The applicant has submitted a conceptual site plan for the Facility prepared by Draper Aden Associates, entitled "Conceptual Facility Plan" dated May 22, 2018 (the "master plan"). The development of a sanitary landfill authorized to accept municipal solid waste, certain industrial wastes, institutional waste, approved special waste, and construction demolition debris as defined pursuant to the Virginia Waste Management ACT ("Act") (Va. Code §§ 10.1-1400 e.t. seq. and Virginia Solid Waste Management regulations (9VAC20-81) ("Regulations") and accessory and related uses ("Landfill" or "Facility") on the site, including without limitation, a convenience center, transfer station, and gas collection and conversion power plant, will be generally consistent with the master plan, but the location and dimensions of identified uses may differ from the master plan as may be required or permitted by the Virginia Department of Environmental Quality (VDEQ), Virginia Department of Transportation ("VDOT") and other governmental agencies, with the uses generally retaining the same relation to each other as reflected on the master plan subject to the approval of and to the extent permitted by VDEQ, VDOT and other applicable governmental departments and agencies.
2. Final site plans shall be submitted to the County Administrator, or designee, who shall review them for conformance with the County's zoning ordinance, the terms of this Conditional Use Permit and the master plan approved in connection with this Conditional Use Permit, and with such modifications as may be approved at the time of site plan review. As reflected on the master plan, the Facility may be designed, constructed, or modified using the current location of Route 654, or based on the relocation of Route 654 as generally depicted on the master plan, subject to approval of the Virginia Department of Transportation ("VDOT"). Permittee shall obtain approval of its final site plans prior to constructing any buildings or other improvements on the Facility Property and prior to commencing landfill operations at the Facility. Final site plans shall provide, at a minimum and consistent with the Zoning Ordinance, detailed information regarding:
 - a. the location and design of planned improvements, including, but not limited to roads, staging areas, parking areas, lighting, buildings, and disposal cells;
 - b. the location of streams, creeks and delineated wetlands, the topography, floodplains, soil and groundwater conditions;
 - c. the buffers and any structures to be placed within the buffer areas adjoining the operational area (in accordance with the terms of this Conditional Use Permit) and the plans for landscaping and screening augmentation;
 - d. the steps to be taken to protect floodplains and water quality;
 - e. stormwater management and erosion control plans; and
 - f. a transportation phasing plan.

3. Permittee shall not commence operation of the Landfill until all applicable state and federal permits are obtained, and Permittee shall operate the Facility consistent with all applicable federal and state statutes and regulations and the terms and conditions of such permits issued for the Facility.
4. The Facility shall not accept for disposal in the Landfill any of the following ("Unacceptable Wastes"):
 - a. Any material the disposal of which, at the time of acceptance, would violate any then existing federal or state laws, rules, regulations or permits pertaining to a Landfill;
 - b. Any "Hazardous Waste" which shall be deemed to be: (i) any waste defined as "hazardous waste" by Section C of the Resource Conservation and Recovery Act; (ii) any waste defined as "hazardous material" or identified as hazardous waste and described and regulated by VDEQ's Hazardous Waste Management Regulations; (iii) solid waste, which because of its quantity, concentration or physical, chemical or infectious characteristics may: (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health, the Landfill, or the environment when treated, stored, transported, disposed of, or otherwise managed; (iv) potentially infectious medical waste; (v) regulated levels of polychlorinated biphenyls as defined by the Toxic Substances Control Act, 15 U.S.C. § 2601-2629, or regulations adopted thereunder; and (vi) radioactive waste or low-level radioactive waste as defined by the Atomic Energy Act, 42 U.S.C. § 2011, et seq., or the Southeast Interstate Low-Level Radioactive Waste Management Compact, or the implementing regulations of either;
 - c. Any nonhazardous domestic, irrigation return flows or industrial wastewater sludges not approved for disposal by the VDEQ regulations, or industrial discharges which are point sources subject to permits under § 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880);
 - d. Any nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923);
 - e. Any material number of animal carcasses disposed of in a single day or, except as authorized by VDEQ, without specific written approval by the County.
 - f. Waste water treatment and industrial sludges.
 - g. Any recycled or processed construction and demolition debris ("Processed C&D") from a Construction Demolition Debris Recycling Facility that

Permittee knows at the time of Permittee's acceptance of the material did not recycle out sheetrock. Before knowingly accepting material from a Construction Demolition Debris and Recycling Facility, Permittee will require the Construction Demolition Debris Recycling Facility to certify that it recycles out the sheetrock from its Processed C&D.

5. Copies of all applications and submittals for permits associated with the Facility, shall be provided to the County Administrator, or designee, upon request.
6. Ingress and egress to and from the Facility shall be by way of an access road connecting the Facility with State Route 60. Permittee will operate the Facility in such a manner as to avoid unreasonable traffic congestion involving company-controlled waste stream providers on County roads. If VDOT determines a signal and/or other road improvements are necessary at any new intersection with Route 60 and/or an intersection created at Route 685 or Route 654, such improvements shall be provided at Permittee's expense. All VDOT permitting shall be completed by Permittee at its expense. At a minimum, it is anticipated that turn lanes at the new intersection of State Route 60 and the new entrance road into the Facility shall be provided at Permittee's expense prior to commencing operations at the Facility. Further, subject to VDOT approval, street lights on either side of the entrance on Route 60 shall be installed, with the spacing and design of each street light along Route 60, as well as street lights at the intersection with Route 685 or 654, determined by VDOT and approved at the time of final site plan review.
7. All areas of the Landfill which are used for the disposal of waste shall at a minimum have buffers in accordance with and as defined by applicable VDEQ Regulations. Additionally, except for the entrance road property, at a minimum the Landfill property shall have a perimeter buffer of not less than 200 feet adjacent to properties with a residence that is not owned by Permittee or its subsidiary or affiliate. Provided, however, there will be a minimum 50 foot buffer on the entrance road property, identified on the master plan. The entrance road property may also include a convenience center, scales, scale house, hardware, gate and related uses and structures. There shall be a 100 foot buffer along any other portion of the perimeter of the Landfill property. The location of buffers are generally depicted on the master plan except minimum area of the buffers can be cleared for access roads, utility easements, monitoring wells and other environmental structures, and screening berms. Natural vegetation shall be maintained in such buffers and supplemented where necessary with evergreens to insure four season screening of operations. Additionally, the areas of the Landfill's Disposal Unit Boundary as defined by VDEQ shall be sited:
 - a. not less than 300 feet from the nearest residence, as of the date of the purchase of the site by Permittee (the "Purchase Date");
 - b. not less than 500 feet from any well or spring being used for drinking water as of the effective date of the Host Agreement with the Cumberland County Board of Supervisors until the well or spring is no longer used for drinking water through no fault of the operation of the Landfill;

- c. not less than 100 feet from any perennial stream or river as of the date of this Agreement, and
 - d. not less than 50 feet from any public road as of the date of this Agreement.
8. The height of any buildings will not exceed forty (40) feet. The height of any appurtenant structures (such as leachate collection tanks) will not exceed fifty-five (55) feet above existing ground elevation unless otherwise approved by the County at the time of site plan review.
 9. The Disposal Unit Boundary (that area of land upon which waste is directly deposited) of the Facility shall not exceed 650 acres.
 10. Groundwater shall be monitored in accordance with VDEQ regulations as reflected in the approved Landfill permit. Copies of VDEQ monitoring reports shall be provided to the County Administrator, or designee. Permittee shall allow the County to install additional groundwater monitoring wells on, at or around the Facility under the direction of a "qualified groundwater scientist" as defined by VDEQ, at the County's expense of installing and monitoring. (If the additional wells are to be incorporated into the permitted groundwater monitoring system, the well construction and location are subject to the approval by VDEQ and a major modification filed with VDEQ for incorporation.)
 11. All fuels stores at the Facility shall be maintained in approved corrosive-resistant, above ground storage tanks. Bulk fuels shall not be stored in buildings on the site. Fuel stores or other holding tanks at the Facility shall be noted on any site plan for approval by the County Administrator, or designee.
 12. Pursuant to applicable state regulations, including 9VAC20-82-140, and prior to accepting waste, the Facility shall have an emergency management and contingency plan which delineates procedures for responding to fire and other emergency situations and Permittee shall submit such plan for County approval which shall not be unreasonably withheld.
 13. The Facility shall comply with all applicable state and federal laws, and VDEQ Regulations relating to closure of the Facility and post-closure monitoring. As part of the post-closure plans for the Facility, a Final Use Plan shall be prepared at the end of the operating life of the Facility.
 14. The Permittee shall employ persons to patrol the Facility and surrounding public property, including those public roads within one-half (1/2) mile of the new intersection of the access road and State Route 60 and at the intersection of Route 685, to collect litter.
 15. Permittee shall implement and maintain all stormwater management and erosion control measures as required by applicable state regulations and local ordinances.

16. The County Administrator, or designee, shall have the right to inspect the Facility during operating hours.
17. Access Point(s) to the Landfill shall be equipped with a gate which shall be closed and locked during non-operating hours. A scale house attendant shall be present during operating hours to screen incoming waste. The attendant shall screen out unauthorized vehicles and vehicles with unauthorized cargo. Those vehicles not permitted into the Landfill will be turned away at that point. Access after operating hours will be allowed only to employees of Permittee and Landfill personnel. The regular Landfill operating hours shall be twenty-four (24) hours per day on weekdays (opening 6:00 a.m. Monday morning and closing 11:59 p.m. Friday evening) and 6:00 a.m. to 4:00 p.m. on Saturday. During other times, only trucks and vehicles owned and operated by Permittee shall be admitted to the solid waste management facility. The Landfill personnel will remain onsite as long as necessary following primary disposal hours to complete the daily disposal of waste and to accomplish the necessary daily shut-down tasks.

At a minimum, Permittee shall employ appropriate supervisors, managers and mechanics, as well as equipment operators, laborers and office personnel. Permittee shall have sufficient equipment on site to ensure orderly operation of the Facility.

18. The Facility shall:
 - a. Comply with VDEQ regulations pertaining to the placing of intermediate and final cover.
 - b. Permittee shall manage all leachate at the Facility in accordance with applicable state regulations.
 - c. Comply with VDEQ regulations relating to the monitoring and control of decomposition gases produced at the Facility.
19. Permittee shall have an inspection program of each truck to verify that all incoming waste is acceptable in content and origin. Records relating to waste accepted at the Facility shall be maintained and will be available for review at any time during operating hours by the County Administrator or his/her designee. Permittee shall train personnel employed at the Facility to identify unauthorized wastes, including familiarity with typical containers, markings, labels and placards that aid in recognizing unauthorized wastes.
 - a. Non-Approved Waste. Permittee will maintain an active "Unauthorized Waste Screening Program," and all personnel involved in screening, shall be trained in this program. Signs shall be conspicuously posted informing users of acceptable and non-acceptable types of waste.
 - b. Permittee shall implement a surface water monitoring plan for natural streams and other surface water bodies located on or adjacent to the Facility that conforms to applicable state requirements.

20. On-site permanent survey benchmarks for horizontal and vertical control will be established at the Facility. There will be annual topographic surveys of the active landfill which will be delivered to the County administrator or designee.
21. Roads within the Facility shall be graded as necessary to maintain smooth, well-drained surfaces. During dry periods, dust control shall be maintained. All roads necessary for the operation of the Facility shall be kept in passable condition and maintained after closure. Permanent unpaved roads shall be covered with gravel or other suitable material. Except for the incoming entrance road which shall be at least fifty (50) feet from adjacent property lines, roads will have a setback of at least one-hundred (100) feet from adjacent property lines of properties not owned by Permittee or its subsidiary or affiliate, except (i) as necessary to access the Facility, (ii) as contained in the approved VDEQ Part A and Park B permits, and/or (iii) as required by VDOT or as otherwise approved at the time of site plan review.
22. The entrance road from Route 60 to Route 685 (Miller Lane) shall be paved.
23. The sides of all borrow areas within the Facility shall be graded to prevent sudden changes in slopes. All stockpiles of overburden shall be graded to minimize erosion potential and to prepare the site for future uses in the final plan.
24. This Conditional Use Permit shall terminate if the Landfill does not commence operations within seven (7) years of this Conditional Use Permit and the rezoning of the subject property to M-2 being approved and the approvals becoming final and non-appealable. Following commencement of operations at the Facility, this Conditional Use Permit shall terminate if the Landfill ceases to operate and maintain the required state permits for four (4) consecutive years or more.
25. In lieu of the noise standards set forth in Section 74-588(a)(1) of the Zoning Ordinance, the following standard shall apply to the Facility: Any noise resulting from the Facility's operations, defined to include all aspects of Permittee's work once the Facility begins operations, shall not exceed sixty-seven decibels at the property line of the nearest residence currently sited on a residential lot. If the noise level at such line exceeds the permitted limit, the Company, after receiving written notice and a reasonable opportunity to cure, shall take corrective measures to eliminate such noise that exceeds the aforementioned threshold level. This noise restriction shall not apply at the entrance from Route 60 and the intersection with Route 685 (Miller Lane). Except for bird control, operations at the Facility shall not involve the use of any external speakers.
26. In lieu of the glare and lighting standards set forth in Section 74-588(a)(2) of the Zoning Ordinance, the following standard shall apply to the Facility: Once construction of the ancillary facilities located within the Facility are complete, the maximum illumination at the property lines of the Facility shall be limited to .5 foot candles. Permanent exterior lighting fixtures on the Facility property shall not exceed thirty (30) feet in height above grade level. The exterior lighting fixtures shall be "shoebox" or similar type capable of shielding the light source from direct view, except the lighting for the working area of the

landfill disposal area. Provided, however, this condition 26 shall not apply to the lighting required for the entrance, or the intersections with Routes 685 or 654.

27. In lieu of the odor standards set forth in Section 74-588(a)(9) of the Zoning Ordinance, the following standard shall apply to the Facility: The Facility shall implement as needed a landfill gas management plan with an odor control and corrective measures plan ("OCCMP") component. The OCCMP shall consist of the following elements: 1) Objective, 2) Source Identification, 3) Reporting and Monitoring, 4) Operational Controls, and 5) Landfill Gas System. The plan shall comply with VDEQ regulations.
28. An active gas collection system shall be installed and operational within six (6) years of the commencement of the Landfill's operations.
29. As approved by VDEQ, fly ash may be accepted at the Landfill solely for use as cover, construction material or road bed material, and shall be managed in compliance with all applicable federal and state laws, regulations and permitted requirements.
30. Permittee shall operate scales at the Landfill as identified in the Landfill Permit and the Facility's Final Site Plan(s) to ensure the proper weighing of vehicles entering the Landfill. Scales will be of a type and quality customarily used in the industry and shall be properly maintained and operated.
31. Any Convenience and Recycling Center will be separated from the landfill disposal area and may be open to the public during posted hours.
32. Landfill Liaison.
 - a. During the operation of the Landfill, Permittee will reimburse the County up to a maximum of \$100,000 per annum, to defray costs and expenses of employing a County Landfill Liaison, which includes benefits and any other related costs, including without limitations, uniforms, vehicle expenses, cellular telephone expense, and tools and equipment. The amount of reimbursement shall be adjusted annually in January of each year, based on the Consumer Price Index for all Urban Consumers (CPI-U), at a minimum of 1% a year but no more than 3% per year based on year-over-year changes in the CPI-U. The Landfill Liaison shall be a County employee or independent contractor and shall not be an employee or contractor of Permittee.
 - b. The Landfill Liaison's duties shall include monitoring and inspection of waste disposal practices at the Landfill and monitoring all requirements of any Host Agreement and zoning (including the Conditional Use Permit). The Landfill Liaison shall have access to the Landfill at all times during operating hours, and at such other times, upon prior notification to Permittee, as may be reasonable and necessary to perform his duties.

- c. Subject to compliance with safety requirements prescribed by Permittee, which may include, without limitation, training, use of protective equipment and escort by Permittee's personnel, the Landfill Liaison shall have access to working areas of the Landfill to ensure compliance with the applicable Host Agreement and this Conditional Use Permit and with other applicable laws, regulations and permit requirements.
- d. The Landfill Liaison shall have access to Landfill records as necessary to ensure compliance with the Host Agreement, Conditional Use Permit and other applicable laws, regulations and permit requirements but shall not be entitled to review confidential business information.

33. Safety and Security.

Site Access and Traffic Flow. Access to the Landfill shall be limited to a single public access point from Route 60, and the access points that result from traversing Routes 685 and Route 654. These access points will be equipped with a gate which shall be closed and locked during non-operating hours. Access will be further controlled by personnel in the scale house. Permittee shall be responsible for initial screening of solid wastes entering the facility to determine the appropriate disposition within the landfill. As appropriate, sensors and video equipment, including radiation detection equipment, shall be used as part of the screening protocol.

All residential deliveries shall be directed to the Convenience Center. Only commercial vehicles and Permittee owned vehicles will be allowed in to the working area of the landfill.

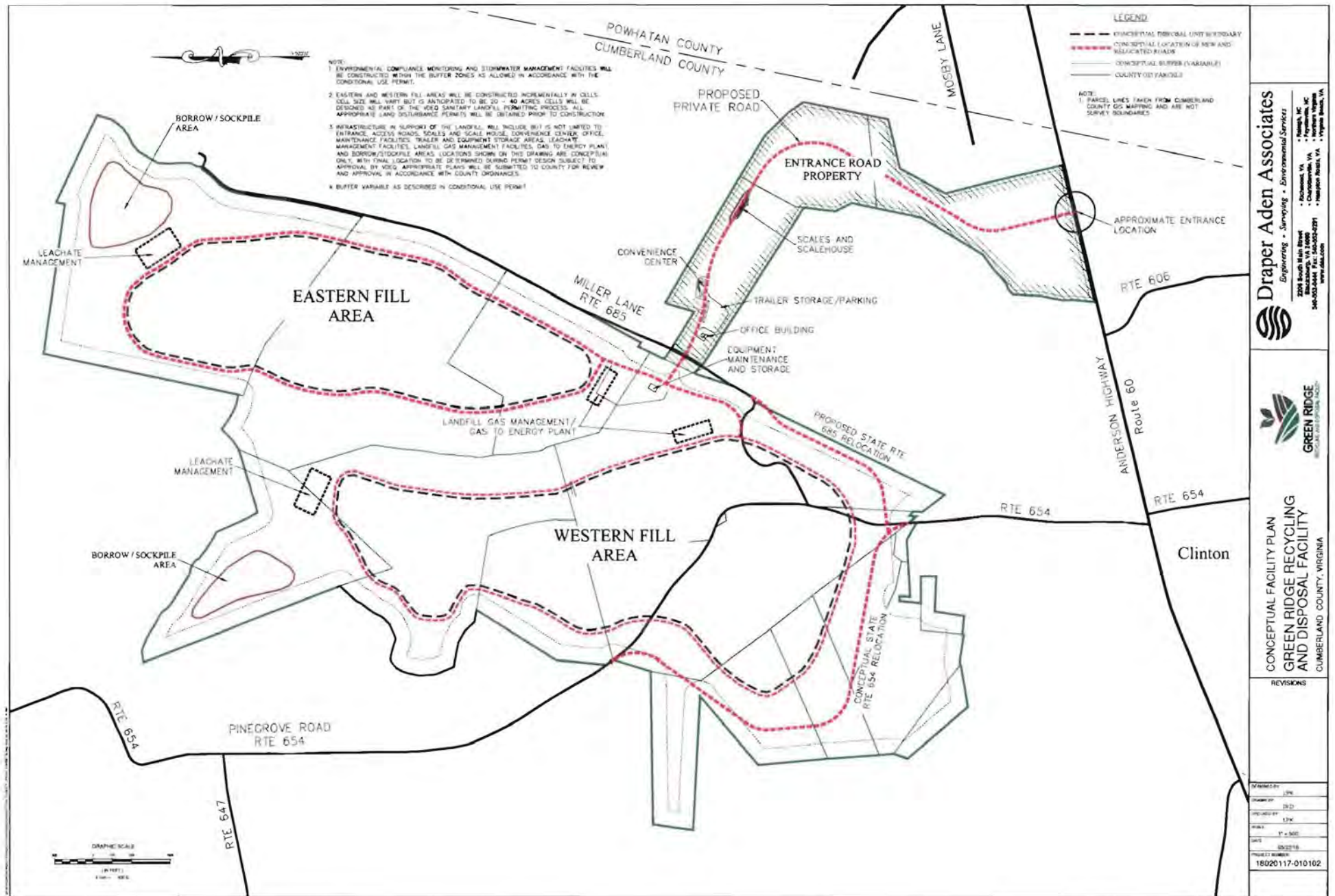
- 34. The initial cell area to be used for landfill waste disposal shall be located on the western portion of the Property identified as Western Fill Area on the master plan. The area identified as Eastern Fill Area on the master plan shall not be used for the disposal of waste for a minimum of ten (10) years after the commencement of landfill operations at the Facility.
- 35. Permittee will sweep the entrance road from the scale house to Route 60, and the intersection with Route 685, daily, weather permitting, excluding Sundays and Holidays.
- 36. To the extent not already addressed by other conditions herein, Permittee shall comply with County Code § 74-583(3)(a-q) and will submit all plans required under § 74-583(3) to the County prior to the commencement of operations at the Landfill and will satisfy and comply with all other requirements of § 74-583(3)(a-q).
- 37. Landfill Site Closure, Final Plan and Completion.
 - a. Landfill Closure. The closure of the Landfill shall be in compliance with 9VAC20-81-160. No less than two years prior to the anticipated closure, Permittee shall develop a closure and post closure plan for review by the

County. The final closure plan must be approved by VDEQ prior to initiating closure. Permittee shall work with engineers, landscape architects and other professionals at the end of the term of this Agreement regarding the use of the Landfill following closure, including for the possibility of constructing recreational park facilities, athletic fields or other public uses at the site of the Landfill.

b. Post Closure Care. The post closure care for the Landfill shall be in compliance with 9VAC20-81-170.

i. As part of the closure and post closure plan for the final closure of the Landfill, Permittee will provide at least 25 acres of land to the County for public use at the site of the Landfill.

38. The service area for the Facility shall be limited to within 500 miles of the Facility as measured horizontally. Provided, however, the Facility may accept waste for disposal from the continental United States if that waste results or arises from a natural disaster and is considered "Acceptable Waste" under VDEQ requirements and have been approved for the Facility.



Draper Aden Associates
Engineering • Surveying • Environmental Services



**CONCEPTUAL FACILITY PLAN
GREEN RIDGE RECYCLING
AND DISPOSAL FACILITY**
CUMBERLAND COUNTY, VIRGINIA

REVISIONS	
NO. 1	REVISED BY
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NO. 3	BY
NO. 4	DATE
NO. 5	BY
NO. 6	DATE
NO. 7	BY
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NO. 100	DATE

18020117-010102

LIMITED POWER OF ATTORNEY

American Timberland, LLC, is the owner of real property located in Cumberland County, Virginia, with Tax ID Numbers 45-A-7, 37-A-69, 44-A-20 and 45-A-1 (the "Property").

William H. Shewmake, Esquire, is counsel for CWV Land Acquisition, LLC and its affiliate Green Ridge Recycling and Disposal Facility, LLC, and pursuant to paragraph 10(a) of the Agreement of Sale between American Timberland, LLC and CWV Land Acquisitions, LLC, signed by the parties on September 20, 2017, American Timberland, LLC hereby nominates and appoints William H. Shewmake, LeClairRyan PLLC, 919 East Main Street, Twenty-Fourth Floor, Richmond, Virginia 23219, to act as American Timberland, LLC's true and lawful attorney-in-fact with authority to execute and to file any zoning applications, conditional use permit applications, proffered conditions, variances, special exceptions, conditional uses, amendments, and any other such associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

AMERICAN TIMBERLAND, LLC

By: Philip Weigel

Its: MANAGER, BT&PACTUAL ASSET MANAGEMENT US, LLC

STATE/~~COMMONWEALTH~~ OF NORTH CAROLINA

COUNTY/CITY OF WARREN, to-wit:

The foregoing instrument was acknowledged before me Jackie C Halls this 18th day of May, 2018 by Philip Weigel of American Timberland, LLC, a Delaware limited liability company, on behalf of the company.

Jackie C Halls

Notary Public

Registration No. N/A
My commission Expires: 06-13-2019

JACKIE C HALLS
NOTARY PUBLIC
WARREN COUNTY, NC
My Commission Expires 6-13-2019

LIMITED POWER OF ATTORNEY

I, Aaron Carlisle, Jr., am the owner of real property located in Cumberland County, Virginia, with Tax ID Numbers 44-A-19-A (the "Property").

I hereby nominate and appoint William H. Shewmake to act as my/our true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

Signature: *Aaron Carlisle, Jr.*

Printed Name: Aaron Carlisle, Jr.

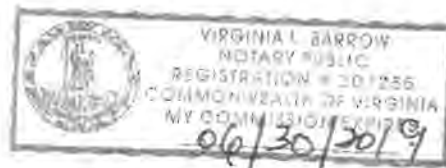
COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF Newport News, to-wit:

The foregoing instrument was acknowledged before me May this 9 day of April, 2018 by Aaron Carlisle Jr

Virginia L Barrow
Notary Public

Registration No.: 207255
My commission Expires: 06/30/19



LIMITED POWER OF ATTORNEY

CWV Land Acquisition, LLC, is the owner of real property located in Cumberland County, Virginia, with Tax ID Numbers 44-A-36, 44-A-13, 44-A-14, 44-A-22, 44-A-19 (the "Property").

CWV Land Acquisition, LLC hereby nominates and appoints William H. Shewmake to act as its true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

CWV LAND ACQUISITION, LLC

By: Jerry S. Cifor

Its: Manager

STATE/COMMONWEALTH OF New York

COUNTY/CITY OF Saratoga, to-wit:

The foregoing instrument was acknowledged before me Bridget Cotugno this 21 day May of April, 2018 by Jerry S. Cifor of CWV Land Acquisition, LLC, a Virginia limited liability company, on behalf of the company.

Bridget Cotugno
Notary Public

Registration No. 01CO4990274
My commission Expires: 12/30/21

BRIDGET COTUGNO
Notary Public, State of New York
No. 01CO4990274
Qualified in Saratoga County
Commission Expires Dec. 30, 2021

LIMITED POWER OF ATTORNEY

Ellis M. Palmore Lumber, INC, is the owner of real property located in Cumberland County, Virginia, with Tax ID Numbers 45-1-41 and 45-1-40 (the "Property")..

Ellis M. Palmore Lumber, INC hereby nominates and appoints William H. Shewmake to act as its true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

Ellis M. Palmore Lumber, INC

By: Robert M. Palmer

Its: President

STATE/COMMONWEALTH OF Virginia

COUNTY/CITY OF Christiansburg, to-wit:

The foregoing instrument was acknowledged before me Jessica McDonald this 17th day of ~~April~~ ^{MAY}, 2018 by Robert M. Palmer of Ellis M. Palmore Lumber, INC, a _____ limited liability company, on behalf of the company.

Registration No. 7680364
My commission Expires: 11.30.2020

Jessica McDonald
Notary Public

Jessica N. McDonald Notary Public Commission #: 7680364 Commonwealth of Virginia My Commission Expires Nov.30, 2020

Ellis M. Palmore Lumber, INC

By: Paul E. Pal

Its: Vice President

STATE/Commonwealth of VIRGINIA

COUNTY/CITY OF Questrhead, to-wit:

The foregoing instrument was acknowledged before me Jessica McDonald this 17th day
of ~~April~~ ^{MAY}, 2018 by DAVID E. PALMER of Ellis M. Palmore Lumber, INC, a _____
limited liability company, on behalf of the company.

Jessica McDonald
Notary Public

Registration No. 7680364
My commission Expires: 11.30.2020

Jessica N. McDonald Notary Public Commission #: 7680364 Commonwealth of Virginia My Commission Expires Nov.30, 2020
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LIMITED POWER OF ATTORNEY

Green Ridge Recycling and Disposal Facility, LLC, hereby nominates and appoints William H. Shewmake to act as its true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to any real property located in Cumberland County, Virginia, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, such real property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

GREEN RIDGE RECYCLING AND DISPOSAL
FACILITY, LLC

By: _____

Printed Name: _____

Its: _____

STATE OF New York

COUNTY/CITY OF Saratoga, to-wit:

The foregoing instrument was acknowledged before me Bridget Cotugno this 18 day of May, 2018 by Jerry S. Cifer of Green Ridge Recycling and Disposal Facility, LLC, a Virginia limited liability company, on behalf of the company.

Bridget Cotugno
Notary Public

Registration No. 01CO4990274
My commission Expires: 12/30/2021

BRIDGET COTUGNO
Notary Public, State of New York
No. 01CO4990274
Qualified in Saratoga County
Commission Expires Dec. 30, 2021

LIMITED POWER OF ATTORNEY

I, Curtis Franklin Marion, am the owner of real property located in Cumberland County, Virginia, with Tax ID Numbers 38-A-7 (the "Property").

I hereby nominate and appoint William H. Shewmake to act as my/our true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

Signature: Curtis Franklin Marion

Printed Name: Curtis Franklin Marion

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF Cumberland, to-wit:

The foregoing instrument was acknowledged before me Stephanie M. Morris this 15th day of May, 2018 by Curtis Franklin Marion.

Stephanie M. Morris
Notary Public

Registration No.: 7578157
My commission Expires: 11/30/2021



LIMITED POWER OF ATTORNEY

I, JOHN H. WICK III, is the owner of real property located in Cumberland County, Virginia, with Tax ID Numbers: 45-2-2-A and 45-2-2-B (the "Property").

I hereby nominate and appoint William H. Shewmake to act as my true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

Signature: _____

Printed Name: John H. Wick III

COMMONWEALTH OF VIRGINIA

COUNTY CITY OF Henrico, to-wit:

The foregoing instrument was acknowledged before me on this 1st day of May, 2018 by Melissa A. DeLue

Melissa A. DeLue
Notary Public

Registration No.: 240029
My commission Expires: Jan 31, 2020



LIMITED POWER OF ATTORNEY

We, John H. Wick III and Mary R. Wick, are the owner(s) of real property located in Cumberland County, Virginia, with Tax ID Number 44-A-21 (the "Property").

We hereby nominate and appoint William H. Shewmake to act as my/our true and lawful attorney-in-fact with authority to file any zoning applications, conditional use permits, proffered conditions, variances, special exceptions, conditional uses, amendments, or any other associated documents relating to the Property, and to take any other actions in connection with and relating to, obtaining a conditional use permit, conditional use, or special exception for, or a rezoning of, the Property. This limited power of attorney is valid for a period of one (1) year after the execution of this limited power of attorney or upon its written termination that is delivered to the Planning Director for Cumberland County, Virginia, with a copy to William H. Shewmake.

Signature: _____

Printed Name: John H. Wick III

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF Henrico, to-wit:

The foregoing instrument was acknowledged before me on this 1st day of May 2018 by Melissa A. DeLue

Melissa A. DeLue
Notary Public

Registration No.: 240029
My commission Expires: Jan 31, 2020



Signature: Mary R. Wick

Printed Name: Mary R. Wick

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF Henrico, to-wit:

The foregoing instrument was acknowledged before me on this 1st day
May
of ~~April~~, 2018 by Melissa A. DeLue

Melissa A. DeLue
Notary Public

Registration No.: 240029
My commission Expires: Jan. 31, 2020

Signature: _____
Printed Name: _____

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF _____, to-wit:

The foregoing instrument was acknowledged before me _____ this _____ day
of April, 2018 by _____.

Notary Public

Registration No.: _____
My commission Expires: _____